



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ratan K. CHAUDHURI

Examiner: Unassigned

Serial No.: 10/616,299

Group Art Unit: Unassigned

Filed: July 10, 2003

Title: AN EFFECTIVE METHOD FOR REGULATING THE APPEARANCE OF SKIN

PETITION TO RECEIVE FILING DATE

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Incomplete Nonprovisional Application" dated October 6, 2003 stating the application was not accorded a filing date because the application was filed without drawings, Applicant respectfully petitions the Commissioner to grant the application the filing date of July 10, 2003, on the following grounds:

1. As noted in the first paragraph of the specification, the application claims the benefit of provisional application 60/395,612 filed July 15, 2002 and referring to page 17 of the specification, penultimate paragraph, the entire disclosure of such application is incorporated by reference. The provisional application contains the two drawings, which are attached and as evidenced by the accompanying Preliminary Amendment are to be incorporated into the application.

2. Aside from the incorporation of the drawings into the application, it is clear that the drawings are not necessary to the understanding of the subject matter sought to be patented.

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The drawings are merely graphs of results obtained by examples. All of the claims at issue are method claims, and there is no mention of any apparatus in the application.

In view of the above, and if appropriate Applicant respectfully requests a refund of the Petition fee.

The other items in the "Notice of Incomplete Non-Provisional Application" will be attended to by enclosing a copy of the Notice of Incomplete Non-Provisional Application" and the requisite fees and Declaration.

Attached is the required fee of \$130.00 for the petition.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



I. William Millen, Reg. No. 19,544
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: EMI-48

Date: October 31, 2003
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